

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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CAROL A. CUMBERBATCH,

Plaintiff,

-v-

WILBUR L. ROSS, Secretary, U.S. Department of
Commerce,

Defendant.
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19-cv-0305 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

On October 15, 2020, the Court permitted Defendant to move for summary judgment and stated it would give Plaintiff an equivalent amount of time to oppose the motion as Defendant takes to make that motion, as run from the date of October 16, 2020. *See* Dkt. No. 39.

Defendant moved for summary judgment on December 18, 2020 and filed its memorandum of law on December 21, 2020 and its declaration in support of its motion on December 22, 2020. *See* Dkt. Nos. 41-44. Plaintiff thus had sixty-seven (67) days to file her opposition brief after the date of Defendant's last filing on December 22, 2020. That date is March 1, 2021. Plaintiff has not filed an opposition.

It is hereby ORDERED that Plaintiff shall have until March 12, 2021 to file her brief in opposition. In the absence of a filing on or before that date, the Court will consider Defendant's motion for summary judgment not to be opposed and will immediately consider the motion on that basis. In the event Plaintiff files a brief in opposition, Defendant shall have until April 15, 2021 to file its reply.

SO ORDERED.

Dated: March 8, 2021
New York, New York



LEWIS J. LIMAN
United States District Judge